

REMARKS

Claims 1, 15, and 20 are amended. Claims 1-20 are pending.

In the office action, at least claim 1 was rejected under 35 U.S.C. 112, second paragraph with respect to recitation of the term “merger” in connection with the display of different content at the user terminal.

Independent claims 1, 15, and 20 are amended to remove the term “merger”. The claims have been amended to clarify that the claimed invention includes an object dispatch module which remotely generates a HTML template in the browser of the user terminal and populates the HTML template with first and second objects simultaneously at the user terminal corresponding to advertising content and other content, respectively.

Specifically, the user terminal receives advertising content from the advertising administration module as a first object, which is selected by the decision module; the user also terminal receives the other content in a data file as a second object from the third party resource provider with the second object not stored internally in the server; and the object dispatch module remotely populates the HTML template with the first and second objects simultaneously at the user terminal to be conveyed to the user, thereby displaying the advertising content with the other content simultaneously in the browser.

Such amendments to the independent claims are clearly recited in the application as originally filed, for example, at paragraph [0038] which the examiner noted on page 5 of the final office action, and which states:

“[0038] Object dispatch module 160 is coupled to an HTML generator 165 in order to generate appropriate HTML templates that are populated by corresponding objects to be displayed to the user. As will be explained in greater detail below, objects are data files corresponding to an item of merchandise that are displayed to a consumer. Object dispatch module 160 is also coupled to third party resource providers 300, which provide objects not stored internally in server 100.

[0039] Server 100 also includes an Ad Timer module 180 and an image request tag module 182, both of which are coupled to HTML generator 165. Ad Time module 180 is configured to generate a small component of the advertising content, that is included with the HTML generator that is being sent to the user. The component includes a small object, invisible to the user, that is displayed along with the advertising content. The component also includes an executable file, such as a javascript, that prompts the user's browser to periodically send a request to server 100, as long as the advertising content is displayed via the user's browser, as will be explained in more detail in reference with FIG. 4.”

Since the object dispatch module 160 resides in the server and is separate from the user terminals as shown in FIG. 1a, the object dispatch module 160 is remote from the user terminal and sends an HTML generator to each user terminal, and the operations of the object dispatch module 160 are remote in generating the HTML template in the user terminal and also remote in populating the HTML template with simultaneously displayed different objects corresponding to different content in the browser of the user terminal.

Accordingly, the amendments to the claims are supported by application as originally filed, so no new matter has been added.

Therefore, reconsideration and withdrawal of the rejection of at least claim 1 under 35 U.S.C. 112, second paragraph are respectfully requested.

In the office action, claims 1, 6-7, 15, and 20 were finally rejected under 35 U.S.C. § 103(a) in view of U.S. Patent Number 6,128,663 to Thomas and U.S. Patent Number US 6,820,277 B1 to Eldering et al.

In addition, claims 2-5 and 17 were finally rejected under 35 U.S.C. § 103(a) in view of Thomas, Eldering et al., and U.S. Patent Number US 6,757,740 B1 to Parekh et al.; claims 8-14 and 18-19 were finally rejected under 35 U.S.C. § 103(a) in view of Thomas, Eldering et al., and U.S. Patent Number US 6,839,680 B1 to Liu et al.; and claim 16 was finally rejected under 35 U.S.C. § 103(a) in view of Thomas, Eldering et al., and U.S. Patent Number US 6,575,691 B1 to Welsh.

The present invention, as recited in amended independent claims 1, 15, and 20, is patentable over the Thomas patent, since the present invention includes a system or method, respectively, which provides at least an object dispatch module which remotely generates a HTML template in the browser of the user terminal, wherein the user terminal receives such advertising content from the advertising administration module as a first object, which is selected by the decision module, wherein the user terminal receives the other content in a data file as a second object from the third party resource provider with the second object not stored internally in the server, and wherein the object dispatch module remotely populates the HTML template with the first and second objects simultaneously at the user terminal to be conveyed to the user, thereby displaying the advertising content with the other content simultaneously in the browser.

Accordingly, the present invention populates at the user terminal an HTML template in a browser of the user terminal with both advertising content and other content simultaneously to be conveyed to the user.

On the contrary, Thomas has a single system such as one server which creates/populates a completed webpage at the server, not the user terminal, containing both the advertising content, such as banner ads, and other content, such as the webpage text, to be sent after completion to the user terminal for display to the user.

The present invention employs separate data sources: the server which provides customized advertising content to the user terminal, and the third party resource provider, separate from and independent of the server, which provides other content to the user terminal. When a user accesses a webpage, the server supplies the advertising content, such as a banner ad, which is displayed on the retrieved webpage.

In the present invention, it is the third party resource provider such as the components 300a, 300b shown in FIG. 1a, which provides other content such as the bulk of the webpage separate from the banner ad. Such other content is not customized by the decision module of the present invention, while the advertising content is customized by the decision module of the present invention.

In an example embodiment, referring to FIG. 1a, when a user accesses a webpage, for example, by entering a URL, the resource provider 300 connected to the user via the Internet 50 processes the URL to retrieve the appropriate webpage text and other content, while the server 100 processes the URL and other information obtained, for example, from an HTTP header associated with the URL and any cookie information associated with the user to customize the

advertising content supplied for display to the user in the webpage, while the remainder of the other content on the webpage is obtained elsewhere.

On the contrary, referring to column 7, lines 43-57 of Thomas in connection with FIG. 3A of Thomas, the system of Thomas includes a “referring server 300 [which] includes a HTTP server 302, a HTML page storage 304, and an advertising banner storage 306”. FIG. 3A illustrates that the referring server 300 includes all of the components 302, 304, 306, and that the HTTP server 302 is directly connected to both the HTML page storage 304 and the advertising banner storage 306.

Column 8, line 18 to column 9, line 9 of Thomas describes the operation of Thomas to respond to an incoming page request to customize a retrieved page from the HTML page storage 304 using the advertising content from the advertising banner storage 306. The entire customized webpage is then forwarded to the user terminal (see Thomas, column 8, lines 61-64).

Therefore, the creating and/or populating of a webpage or HTML template of disparate content is performed by Thomas at a server outside of and separate from the user terminal, and then forwarded to the user terminal.

In direct contrast with Thomas, the present invention performs the populating of disparate content in an HTML template at the user terminal remotely conducted by an object module in the server.

Therefore, the present invention is patentable over Thomas, since Thomas lacks all of the elements, steps, and features of the present invention, and since Thomas operates in a distinctly different manner from the present invention.

One having ordinary skill in the art would not look to Thomas for the present invention, since the present invention is more advantageous in customization of advertising content of webpages than Thomas.

Claims 2-14 and 16-19 depend from amended independent claims 1 and 15, respectively, and so includes the recitation of amended claims 1 and 15, respectively. Therefore, for the reasons set forth above, claims 2-14 and 16-19 are also patentable over Thomas and the remaining cited art.

Therefore, claims 1-20 are patentable over the cited art, so reconsideration and withdrawal of the final rejection of claims 1-20 are respectfully requested.

Accordingly, entry and approval of the present amendment and allowance of all pending claims are respectfully requested.

In case of any deficiencies in fees by the filing of the present amendment, the Commissioner is hereby authorized to charge such deficiencies in fees to Deposit Account Number 01-0035.

Respectfully submitted,



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